

**Report to
Rapport au:**

**Council
Conseil**

22 April 2020 / 22 avril 2020

**Submitted on March 26, 2020
Soumis le 26 mars 2020**

**Submitted by
Soumis par:
Stephen Willis**

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Ward: RIDEAU-VANIER (12)

File Number: ACS2020-PIE-CRO-0009

SUBJECT: Designate 300 Coventry road as a Municipal Capital Facility

**OBJET: Désignation du 300, chemin Coventry à titre d'immobilisation
municipale**

REPORT RECOMMENDATIONS

That Council:

- 1. Designate 300 Coventry Road, a City-owned property, as a Municipal Capital Facility as permitted under Section 110 of the *Municipal Act* and Ontario regulation 603/06, as amended, and enact a by-law in accordance with the requirements of the *Municipal Act*, as outlined in this report;**
- 2. Declare that the Municipal Capital Facility at 300 Coventry Road is for the recreational and touristic purposes of the municipality and is for public use; and**

3. **Authorize the Director, Corporate Real Estate Office, in consultation with the City Solicitor, to finalize and execute the Municipal Capital Facility Agreement.**

RECOMMANDATIONS DU RAPPORT

Que le Conseil:

1. **désigne le 300, chemin Coventry, propriété appartenant à la Ville, à titre d'immobilisation municipale comme le permettent l'article 110 de la Loi sur les municipalités et le Règlement de l'Ontario 603/06, dans sa version modifiée, et d'adopter un règlement conforme aux exigences de la Loi sur les municipalités, tel que formulé dans le présent rapport;**
2. **déclare que l'immobilisation municipale située au 300, chemin Coventry sera utilisée aux fins récréatives et touristiques de la municipalité et à des fins d'utilisation publique;**
3. **autorise le directeur, Bureau des biens immobiliers municipaux, en consultation avec l'avocat général, à conclure et signer l'entente relative à l'immobilisation municipale.**

BACKGROUND

On July 4, 1990, City Council approved 300 Coventry Road as the location for a Multi-Purpose Recreation Complex, otherwise known as the Ottawa Stadium, with the primary tenant being a professional baseball franchise.

The Corporation of the City of Ottawa applied for special legislation in order for it to pass a by-law to exempt the land from property taxes and therefore avoid having the City of Ottawa liable for payment of municipal and school taxes. Provincial legislation was passed and received Royal Assent on the 25th day of June 1992. Bill Pr 27, *City of Ottawa Act (Act)*, which enabled the council of the corporation to pass a by-law exempting it from paying municipal and school taxes, which it did pass through report number ACS1992/0402-096 on December 2, 1992. The *Act* was repealed on the 31st day of December 2018 and therefore the By-law would also be repealed on that same date.

Council Report number [ACS2019-PIE-CRO-0013](#) dated December 3, 2019, approved the selection of the Katz/OSeg Partnership to lease the Ottawa Stadium at 300 Coventry Road as per the Memorandum of Understanding (MOU) concluded between the Parties. The report delegates authority to the General Manager, Planning, Infrastructure and Economic Development to finalize and execute a lease agreement.

The lease agreement provides the City the opportunity to designate the property as a Municipal Capital Facility (MCF). The MCF agreement and associated by-law will continue for the term of the lease agreement. The MOU sets out that the tenant is responsible for any portion of the property taxes should they become payable at any time, which will be reflected in the lease agreement.

This report is seeking the approval to proceed with the MCF designation.

DISCUSSION

This report recommends a MCF designation and an exemption of taxes levied for municipal and school purposes for the entire property addressed as 300 Coventry Road. Professional baseball in Ottawa will attract visitors to the capital consequently driving economic activity as a tourist destination.

Under Section 110 of the *Municipal Act*, a municipality is permitted to enter into a Municipal Capital Facilities Agreement with any person for the provision of prescribed municipal facilities. Regulation 603/06, as amended, prescribes municipal facilities used for cultural, recreational or tourist purposes and the ancillary parking facilities as eligible for the designation, provided that they remain owned by the City, and are declared by the municipality as municipal capital facilities for the purposes of the municipality and for public use. In order to provide property tax relief for the site, and exemption from MCF agreement providing for the touristic and recreational municipal facilities. This will exempt the facility from both the municipal and education portions of the property tax.

Under the MCF agreement, the City will forgo revenues from property taxes that would be charged to the site; however, since the facility has always operated as a MCF, no property taxes have ever been generated from this City owned property. Therefore, no financial impacts to City property tax revenues are anticipated.

RURAL IMPLICATIONS

There are no rural implications associated with the recommendations within this report.

CONSULTATION

The Corporate Real Estate Office (CREO) has consulted with the City Solicitor's Office as well as the Finance Service Department in preparing this report. No public consultation was undertaken.

COMMENTS BY THE WARD COUNCILLOR

The Ward Councillor concurs with the recommendations in this report.

LEGAL IMPLICATIONS

There are no legal impediments to approving the recommendations in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

ASSET MANAGEMENT IMPLICATIONS

There is no asset management implications with this report.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

ACCESSIBILITY IMPACTS

There are no accessibility implications to implementing the recommendations set out in this report.

ENVIRONMENTAL IMPLICATIONS

There are no environmental implications associated with the recommendations within this report.

TERM OF COUNCIL PRIORITIES

The report recommendations support the following City Strategic Priorities as articulated through council report [ACS2019-ICS-ST-0003](#):

- a. Economic Growth and Diversification: Encourage economic growth and diversification by supporting business investment and expansion, talent attraction and retention, and branding Ottawa as a place to be.
- b. Thriving Communities: Promote safety, culture, social and physical well-being for our residents.

SUPPORTING DOCUMENTATION

Document 1 Draft Municipal Capital Facility Agreement

Document 2 Draft By-law

DISPOSITION

CREO in consultation with the City Solicitor, will finalize the Municipal Capital Facility Agreement. The City Solicitor will place the associated by-law on the agenda of Council

for enactment. CREO will work with successful proponent to have the MCF agreement signed. Pursuant to Sections 110(5) and 110(6) of the *Municipal Act, 2001*, the City Solicitor will give notice of the by-law to the Minister of Education, the Municipal Property Assessment Corporation and the local school boards. The Finance Department (Revenue Branch) will process the required tax adjustments to be reflected on the tax account.